

Tentative Agreement RE PERSONNEL FILES
3/11/24

Article 10 Personnel Files

- 10.1. Maintenance of Personnel Files.** The University will maintain in the Human Resources Department one (1) personnel file for each employee. The personnel file shall contain information pertinent to an employee's qualifications, record of employment and other information required for business and legal purposes. Access to and use of information in the employee's personnel file shall be restricted to a business or legal purpose. Materials derived from any unknown or anonymous sources will be excluded from the personnel file. In addition to the official personnel file, the University may maintain, as needed, additional employee files relating to ESEs including supervisory files, payroll files and medical files.
- 10.2. Disciplinary Documents and Performance Evaluations.** ESEs will be provided with a copy of disciplinary documents or performance evaluations that are placed in their personnel file within five (5) business days of their insertion.
- 10.3. Review of Personnel Files.** ESEs shall have the right to examine all materials contained in their personnel file. The Union shall be permitted to review personnel files with the written consent of the individual ESE. Personnel file reviews shall be conducted in the presence of a Human Resources representative during business hours. The personnel file shall be made available for review within five (5) business days of the request.
- 10.4. Requesting copies of Personnel Files.** Upon request, the ESE shall be provided a copy of any materials in their personnel file. The University may charge a fee, equivalent to what the University charges for a public records request, for copying any materials beyond the first copy requested by the ESE or their representative.
- 10.5. Requests for Removal of Material.** ESEs will have the right to request the removal or correction of material that the ESE believes to be false, frivolous, irrelevant, or to have been improperly included in their personnel file. The AVP of Human Resources or designee will provide a written response approving or denying any such request within ten (10) business days of its receipt. Adverse material or information related to alleged misconduct that is determined to be false, and all such information in situations where the employee has been fully exonerated of wrongdoing, will be promptly removed from the employee's files; provided that the University may maintain copies of this information in a legal defense file. ESEs may also attach a concise rebuttal statement to any item in the files, and may submit for insertion into their personnel file a reasonable amount of job-related material reflecting on their performance.
- 10.6. Grievance Files.** Files relating to grievances will be maintained separate from employee performance and disciplinary materials and no reference to grievances shall be placed in an individual's personnel file.
- 10.7. Confidentiality.** All materials in the personnel file of an ESE, including supervisory job performance evaluations, shall be confidential except as required to be publicly available under State and/or Federal law. When documents in an employee file are the subject of a public disclosure request under RCW 42.56, the Employer will provide the employee with a

copy of the request at least seven (7) calendar days in advance of the intended release date.

- 10.8. Employment Verification.** Upon the ESE's written request/release, the University will respond to employment verification inquiries within five (5) business days of the request.**Continuation of Rights.** ESEs shall have the same rights to their Personnel Files as conferred by this Article for as long as the University maintains a Personnel File, regardless of current employment status as an ESE.